

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING APPLICATION UNDER 37 C.F.R. 1.53(b)
WITHOUT FILING FEE AND/OR WITHOUT EXECUTED INVENTOR'S DECLARATION

Director for Patents
Washington, DC 20231

Atty. Dkt. 2558-57

Date: January 7, 2002

Sir:

This is a request for filing a new PATENT APPLICATION under Rule 53(b) entitled:

AN ELECTROSURGICAL SYSTEM AND METHOD

without a filing fee and/or without an executed inventor's oath/declaration.

This application is made by the below identified inventor(s). Attached hereto are the following papers:

☐ Newly executed Declaration, ☐ Copy of Declaration from prior application, ☒ Abstract

34 pages of specification (including 1 page Abstract) and 47 numbered claims, and

12 sheets of accompanying drawing/s.

☐ Record the attached assignment and return to the undersigned.

☐ Attached is a Power of Attorney.

☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number

Country

Day/Month/Year Filed

9900964.9

Great Britain

15 January 1999

, respectively, the entire content of which is hereby incorporated by reference in this application..

☐ Certified copy(ies) of foreign application(s) is/are attached.

☐ Certified copy(ies) filed on _____ in prior application no. _____ filed _____

☐ Please amend the specification by inserting the following paragraph before the first line: --This application claims the benefit of Provisional Application No. _____, filed _____, the entire content of which is hereby incorporated by reference in this application.--

☒ Please amend the specification by inserting the following paragraph before the first line: --This application is a ☐ continuation/☐ division/☒ continuation-in-part of Application No.10/024,348, filed, December 21, 2001, which is a continuation-in-part of Application No. 09/484,225, filed January 18, 2000, the entire contents of both being incorporated by reference in this application.--

☐ Petition filed in prior application to extend its life to insure co-pendency.

☐ The prior application is assigned to _____

☐ It is hereby requested that the Examiner consider the art cited in the above parent application(s) by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached, but pursuant to Rule 98(d) copies are not required.

☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.

☒ Please enter the attached and/or below preliminary amendment **prior** to calculation of filing fee:

1. Inventor: Nigel M. Goble British
(first) MI (last) (citizenship)
Residence: (city) Berks (state/country) United Kingdom
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(Zip Code) RG17 ORH

☐ See attached sheet(s) for additional inventor(s) information!!

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NIXON & VANDERHYE P.C.

By Atty: Robert A. Molan, Reg. No. 29,834

Signature:

Robert A. Molan